



RECEIVED-FPSC

09 MAY 28 AM 11:06

# Public Service Commission

CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

COMMISSION  
CLERK

-M-E-M-O-R-A-N-D-U-M-

**DATE:** May 22, 2009

**TO:** Jamie Morrow, Attorney, Office of the General Counsel *JM*

**FROM:** Catherine Beard, Regulatory Analyst, Division of Regulatory Compliance *CB* *pk*

**RE:** Recommendation to Office of the General Counsel - Docket No. 090314-TL – Petition for expedited review of NXX-X code denial by Number Pooling Administrator for the Cypress Lake Regional Airport switch within the Ft. Myers exchange by Embarq.

On May 14, 2009, Embarq Florida, Inc., (Embarq) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the Ft. Myers exchange, Cypress Lake Regional Airport (CYLKFLXBRS0) switch. Embarq requested one (1) number block of 1,000 numbers to meet the request of a specific customer for 500 consecutive numbers, not in the format of NPA NXX-3xxx or 6xxx. On May 14, 2009, Embarq's request for additional numbering resources was denied because it did not meet the months-to-exhaust and utilization criteria.

On May 15, 2009, Embarq filed a petition requesting that the Commission overturn NeuStar's decision. In accordance with Commission Order No. PSC-02-0352-PAA-TL, (Docket No. 020087-TL) which approved an expedited process for the NeuStar code denials, staff has examined the Embarq petition and has determined the following:

- 1) The carrier has demonstrated that it has a customer in need of numbering resources;
- 2) The carrier has shown that it is unable to provide services to this potential customer because of NeuStar's denial of the numbering resources; and
- 3) The customer will not be able to obtain service from the provider of his/her choice because the carrier does not have the numbers available.

Since the three criteria of PSC-02-0352-PAA-TL have been met, please prepare an administrative Proposed Agency Action Order to be issued within seven business days of this memorandum (June 3, 2009), as outlined in the expedited code denial process order. NeuStar should be directed to provide Embarq the needed numbering resources to meet its customer's needs in the Ft. Myers exchange, Cypress Lake Regional Airport (CYLKFLXBRS0) switch. Please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call Catherine Beard at (850) 413-7080.

cc: Division of Regulatory Compliance (Harvey, Casey)  
Office of General Counsel (A. Teitzman)  
Office of Commission Clerk (Docket No. 090314-TL)

DOCUMENT NUMBER-DATE

05288 MAY 28 09

FPSC-COMMISSION CLERK